

ABA Appears to Reject Immunity for Nixon

8/16/74

By Jack Fuller

Special to The Washington Post

HONOLULU, Aug. 15 — The American Bar Association passed a resolution today widely interpreted as opposing criminal immunity for former President Nixon.

The association's policy-making House of Delegates approved the resolution—which does not mention Mr. Nixon by name—by an overwhelming voice vote without any preliminary debate.

The resolution speaks in general terms, but as it made its way to the House it was discussed by lawyers here in terms of whether Mr. Nixon should, because he was President, be protected against criminal prosecution.

The resolution states that the ABA "continues its dedication to the principle of fair, just and impartial application and enforcement of the law regardless of the position or status of any individual alleged to have violated the law."

It was originally proposed by Thomas M. Ferril Jr., of Blue Bell, Pa. The association's resolutions committee endorsed it after making minor changes in its wording.

That committee opposed a similar resolution that mentioned Mr. Nixon by name after some committee members objected that it might prejudice any criminal case that might be brought against the former President.

The issue nearly died on

Tuesday when the association's assembly—which ordinarily must vote first on resolutions before they go to the House of Delegates—failed to muster a quorum.

The ABA leaders fearful that the association might appear not to care about the issue despite all the talk here about Watergate and government mortality, brought the matter before the House anyway.

The resolution mentioning Mr. Nixon by name never reached the House of Delegates.

In other actions, the House voted down the controversial proposal to call for the legalization of prostitution.

After a debate marked by attempts at humor, the measure failed by a voice vote.

"To pass the resolution," said John Dunne, a state representative in New York, "would be a further admission of and final step in the sexual revolution which seriously threatens the underpinning of our society."

Joe Stampers, of Antlers, Okla., said legalizing prostitution would mean legalizing other activities. "Suppose you have a nice home in a nice neighborhood and then a cat house moved in next door," he said. "It would be legal."

Then James W. Hewitt, of Lincoln, Neb., rose and commented, "I didn't know they had such a problem in Oklahoma."

Another member said, "The next step after legalizing it is to tax it, and I'm against that."